
SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE
IMPLEMENTATION OF ACT 217, SESSION LAWS OF HAWAII 2018,
REGARDING MISREPRESENTATION OF SERVICE ANIMALS.

1 WHEREAS, a service animal is an animal that is individually
2 trained to work or perform tasks for a person with a disability;
3 and
4

5 WHEREAS, the misrepresentation of pets and other non-
6 service animals as service animals diminishes the respect given
7 to service animals and can create challenges for individuals who
8 use the services of legitimate service animals; and
9

10 WHEREAS, Act 217, Session Laws of Hawaii 2018 (Act 217),
11 established a civil penalty for knowingly misrepresenting an
12 animal as a service animal; and
13

14 WHEREAS, the prohibition against misrepresentation of a
15 service animal is placed in chapter 347, Hawaii Revised
16 Statutes, which is administered by the Department of Human
17 Services; and
18

19 WHEREAS, questions have arisen about Act 217, including the
20 means to enforce the prohibition and the sufficiency of the
21 language to address the issue; and
22

23 WHEREAS, guidance about misrepresentation of a service
24 animal is needed to adequately inform law enforcement officers
25 and the business community of the law; now, therefore,
26

27 BE IT RESOLVED by the Senate of the Thirtieth Legislature
28 of the State of Hawaii, Regular Session of 2019, that the
29 Department of Human Services, in consultation with the Hawai'i
30 Civil Rights Commission and the Disability and Communication
31 Access Board, is requested to examine and report on the
32 implementation of Act 217, including:
33



- 1 (1) How to enforce the prohibition against
2 misrepresentation of a service animal;
3
4 (2) Whether administrative rules need to be adopted;
5
6 (3) How to better oversee and regulate service animals;
7 and
8
9 (4) Whether additional legislation is necessary; and
10

11 BE IT FURTHER RESOLVED that the Department of Human
12 Services, in consultation with the Hawai'i Civil Rights
13 Commission and the Disability and Communication Access Board, is
14 requested to issue guidance about misrepresentation of a service
15 animal for use by law enforcement and the business community;
16 and
17

18 BE IT FURTHER RESOLVED that the Department of Human
19 Services is requested to develop a public outreach campaign to
20 educate places of accommodations as well as the public as to the
21 important work that legitimate service animals do and why it is
22 important for service animals to assist their owners; and
23

24 BE IT FURTHER RESOLVED that the Department of Human
25 Services is requested to submit a report of its findings and
26 recommendations to the Legislature, including any proposed
27 legislation, no later than twenty days prior to the convening of
28 the regular session of 2020; and
29

30 BE IT FURTHER RESOLVED that certified copies of this
31 Resolution be transmitted to the Director of Human Services,
32 Executive Director of the Hawai'i Civil Rights Commission, and
33 Executive Director of the Disability and Communication Access
34 Board.
35
36
37
38

